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FACSIMILE TRANSMISSION COVER SHEET

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DATE: June 1, 2004

TO: Robert R. Raavis

NUMBER OF PAGES (including this cover sheet): 3

FROM: James C. Scott, Roetzel & Andress

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FACSIMILE INSTRUCTIONS

FAX NUMBER: 703.872.9306

CLIENT/MATTER NUMBER: 109788.0008

ID#: 747

COMMENTS

Dear Examiner Raavis,

Please see the attached Response to Restriction Requirement.

CLEVELAND TOLEDO AKRON COLUMBUS CINCINNATI WASHINGTON, D.C. TALLAHASSEE FORT MYERS NAPLES

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

IN RE APPLICATION OF : Roger A. Pyle, et al.

FOR : DEVICES AND METHODS FOR
APPLYING KNOWN RESISTANCE
LOADS AND MEASURING INTERNAL
ANGLES OF GYRATION IN GYRATORY
COMPACTORS

APPLICATION NO. : 10/721,151

FILED : November 24, 2003

DOCKET NO. : 109788.0008

RESPONSE TO RESTRICTION REQUIREMENT

VIA FACSIMILE 703.872.9306
Mail Stop Non Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Restriction Requirement dated May 13, 2004.
Applicant elects the following species:

Figure 7A as shown, and the corresponding claim numbers 11-14, 16-18 and 21-26.

Reconsideration and withdrawal of the Restriction Requirement with respect to the distinction between Figures 7A and 7B is requested. Both of these Figures illustrate the inventive combination of an internal angle measurement device and a loading device in a mold. The invention functions to apply a known moment force to a gyratory compactor and to measure an internal angle of gyration, regardless of the relative arrangement of the internal angle measurement device and the loading device and mold plates within a mold. Furthermore, there is no other purpose or function of this combination of components in either arrangement to substantiate a finding of patentably distinct inventions.

PATENT

For any fees necessitated with this response, please charge to our Deposit Account No.
50-0959 (109788.0008).

Respectfully submitted,
ROETZEL & ANDRESS

JUNE 1, 2004

Date



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